

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 03-6549

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EUGENE R. DANIELS,

Plaintiff - Appellant,

versus

H. MOORE, Lieutenant; M. BROWN, Correctional  
Officer; A. SMITH, Correctional Officer; SCOTT  
JOHNSON, Grievance Clerk,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Charleston. Margaret B. Seymour, District Judge.  
(CA-01-583-9-24)

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Submitted: May 21, 2003

Decided: June 26, 2003

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Before NIEMEYER, WILLIAMS, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Eugene R. Daniels, Appellant Pro Se. Robert Thomas King, Jay  
Hupfer, WILLCOX, BUYCK & WILLIAMS, P.A., Florence, South Carolina,  
for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Eugene R. Daniels appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint without prejudice for failure to exhaust administrative remedies. The district court properly required exhaustion of administrative remedies under 42 U.S.C. § 1997e(a) (2000). Because Daniels did not demonstrate to the district court that he had exhausted administrative remedies, the court's dismissal of the action, without prejudice, was not an abuse of discretion. Accordingly, we affirm the district court's order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED